

IN THE DRAWINGS:

By separate letter to the draftsperson, corrected drawings are submitted. More specifically, the alternate ring in Figure 2b is identified as 2a, and the ring in Figure 5 is identified as 2b. In Figures 2a and 2b, the lead lines for 22a and 22b are placed in the correct locations. Figure 1 is labeled as prior art, and the cross hatching of the ring in Figures 4a and 4b is corrected. Corrections are also made to Figure 11 as noted in the Office Action.

REMARKS

This Amendment is presented in substitution to the Amendment presented after the final rejection. By this amendment, the drawings, specification and claims 2-15 have been revised and claim 1 has been canceled to place this application in condition for allowance. Currently, claims 2, 5, 6 and 9-13, and 15 are before the Examiner for consideration on their merits, and claims 3, 4, 7, 8, and 14 have been withdrawn from consideration.

The claim revisions also change the claims referring to a “decoupling element” to a “combination” so that it is clear that the claims are linked to combination claim 15. Also, the specification has been amended to include reference to reference numeral 2b.

In review, claim 1 has been canceled in favor of claim 15. The appropriate rejections are made to the claims to correct the dependencies thereof.

In response to the Examiner’s comments regarding the state of the specification in the PTO, submitted herewith is a clean copy of the originally filed specification (as-filed copy), a copy of the published application (publication), and a copy of the specification from the PTO PAIR site - File Wrapper section (PTO copy).

In review, the Examiner noted a number of errors in the PTO copy, and required correction. Applicant responded with the argument that the errors were scanning errors on the PTO’s part, and that the as-filed application did not contain such errors, and therefore, there was no need for correction.

In response to this argument, the Examiner still contended that the errors exist at the PTO and therefore correction was necessary.

It is now submitted that the PTO electronic file of the application does not contain the scanning errors shown in the PTO copy. This statement is based on the fact that, except for two instances, the errors noted in the office action are not present in the published application. For the Examiner’s benefit, the errors in the PTO copy are highlighted, and the corresponding locations in the publication are also highlighted. Comparing these two documents reveals a number of things. First, the errors occur in the first two or last two lines of the PTO copy. Moreover, the error involves a missing “e” or missing “o”, although almost all errors are a missing “e”. Second, this comparison shows that two instances of missing “e”s carried over into

the publication, i.e., [0038], line 5, corresponding to page 6 line 2 of the PTO copy, and [0052], line 6, corresponding to page 8, line 2 of the PTO copy (the carryover errors)

These carryover errors are fixed by amendment to the specification. However, since the other errors identified in the office action and found in the PTO copy did not occur upon publication, it is submitted that these errors do not need correction by amendment to the specification. Accordingly, Applicants respectfully submit that the revisions to the specification and the arguments above demonstrate that the specification, in fact, is now in proper condition for allowance.

The specification is also amended to identify the correct patent number on page 1. In addition, the paragraph on page 6 concerning the radial projections is corrected to properly identify the two angles α_1 and α_2 shown in Figure 2b, and identify the correct reference numerals as projections 20e and 20i. Lastly, the other informality noted on page 6 regarding the projections 20e' has been addressed below.

As noted above, the issues regarding the drawings and specification have been addressed, and these objections should be withdrawn.

The claims have also been revised in response to the objection based on informalities.

Applicants do traverse the objection under Rule 75(i). This Rule states that the claims should include an indentation, but that this is not a mandatory rule requirement. Moreover, it is contended that the form of the claim does not make it conducive to include such indentation. The objection is respectfully requested to be withdrawn.

Turning to the prior art rejection, the cancellation of claim 1 removes the rejection based on Kryscyk, thus leaving only the rejections based on Bugatti and Olbricht.

Addressing the Bugatti rejection, the Examiner took the position that the Bugatti rejection was proper since the claim did not require that the decoupling element have the abrupt projections when not in contact with the support. While Applicants disagree with this reasoning, claim 15 has been revised to recite that the abrupt projections are present whether or not meshing with the faces of the support occurs.

The amendment to claim 15 is believed to overcome the rejection based on Bugatti. As previously argued, the Bugatti decoupling ring did not have any abrupt projections since it was merely a ring with smooth inner and outer faces. The projections only exist when the ring was placed between the projection-containing elements V and R. Since Bugatti does not teach a

decoupling element that has projecting faces when not in contact with supports, it does not now teach the limitations of claim 15 and cannot be relied upon under 35 U.S.C. § 102(b) to reject claim 15. Thus, the rejection under 35 U.S.C. § 102(b) must be withdrawn.

Moreover, there is no basis to conclude that Bugatti can somehow establish a *prima facie* case of obviousness. The only place the Examiner could go to modify Bugatti so as to arrive at the invention is Applicants' own disclosure. Since this practice is expressly forbidden under patent law standards, the Examiner cannot make a rejection under 35 U.S.C. § 103(a).

The remaining rejection is based on Olbricht. In the rejection, the Examiner is taking the position that Olbricht includes each and every element of the claims. Further, it is asserted that the manner of use of the claimed decoupling element is not germane to the issue of whether the decoupling element itself is patentable.

Applicants traverse the rejection of claim 15 on the grounds that Olbricht does not teach each and every element of claim 15 as it is presently amended. Claim 15 has been amended with the intent to define the elements in such a way that they cannot be considered to be the same as those disclosed in the Olbrich vibration canceler. Claim 15 now defines the deformable element as one that is capable of transmitting power from one support to another. This limitation is clearly supported by the specification since the very essence of the invention is a power transmission coupling, see for example, page 6, lines 17-20. Moreover, the supports of the drive device are further defined as one support adapted to transmit power to the decoupling element, and the other support adapted to receive the power from the decoupling element for further power transmission.

The reason that it is contended that Olbrich does not teach the claimed decoupling element is that Olbrich is fundamentally different than the claimed power transmission arrangement of a decoupling agent and two supports of a drive device. As previously argued, Olbrich is a vibration canceler for a shaft rotating about an axis. Olbrich teaches an elastic ring 2 surrounding a shaft 3, and an inertial ring 3 surrounding the ring 2, with each component have teeth for engagement with an adjacent component. The purpose of the elastic ring 2 is to link the inertial ring to the shaft 1 so that the elastic ring absorbs movement of the inertial ring.

In contrast to Olbrich, the present invention is concerned with the transmission of power, and particularly to the use of a decoupling element with abrupt projections that mesh with complementary projections on one of the supports so as to create zones in a central core of the decoupling element that operates in shear for power transmission. This arrangement is vastly

superior to the power transmission arrangements discussed in the background art section of the application.

While Olbrich has an elastic ring with projections that mesh with the projections of a drive shaft and an inertial ring, the elastic ring cannot be said to be adapted to transmit power to the inertial ring, nor can the inertial ring be said to be adapted for further transmission of the power transmitted to the drive shaft. The amendments to claim 15 define a decoupling element and supports that are not found in Olbrich and the rejection under 35 U.S.C. § 102(b) must be withdrawn.

While the Examiner is correct in asserting that an ascribed function to a combination of components can be ignored when considering the patentability of the components themselves, it is contended that the revisions to claim 15 remove this issue from consideration. That is, the supports of the drive system and decoupling elements are now defined in terms of power transmission so that the decoupling element transmits power from one support to the other so that the other support can further transmit the power. This structure is not found in Olbrich because the inertial ring is not adapted for transmission of power from the drive shaft, nor is the decoupling element intended to transmit power from the drive shaft to the inertial ring. Lacking the structure now defined in claim 15, Olbrich cannot be said to anticipate claim 15, and the rejection must be withdrawn.

Moreover, since Olbrich and the instant invention are fundamentally different, one of skill in the art would not be motivated to somehow turn the vibration canceler into a combination of two supports of a drive device and a decoupling element. Any such allegation would lack an objective basis in fact, and could not be sustained on appeal.

Thus, it is contended that Olbrich can not establish a *prima facie* case of anticipation or obviousness against claim 15, and the rejection as applied to this claim should be withdrawn.

Since claim 15 has been demonstrated to be patentable over the prior art, it is contended that its dependent claims 2, 5, 9, and 11-13 are also in condition for allowance.

Lastly, it is contended that claim 15 is a generic claim and that Applicants are entitled to a consideration of a reasonable number of species. Therefore, the restriction requirement as applied to claims 3, 4, 7, 8, and 14 should be withdrawn, and these claims should be allowed as claims dependent from claim 15.

While this amendment is made after a final rejection, and revisions are proposed to claim 15, it is submitted that no new issues requiring further search or consideration are raised herein. The

combination of the supports and decoupling element were present in claim 15 as was the language that the supports were part of a drive device. Applicants also previously argued that Olbrich was a vibration canceler and fundamentally different than the claimed device designed for power transmission. Since the revisions to claim 15 clearly distinguish the claim from Olbrich and Bugatti, the Examiner should enter this Amendment and pass this application onto allowance.

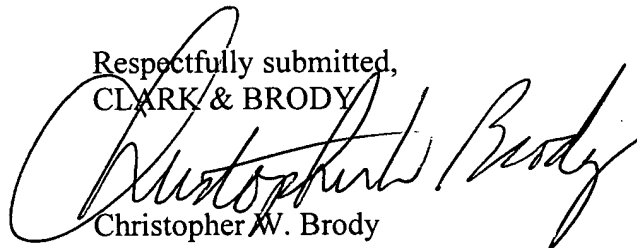
In summary, it is respectfully contended that each and every issue raised in the outstanding Office Action has been addressed herein. Thus, all claims are fully definite under the purview of 35 U.S.C. § 112, second paragraph, the drawings and specification are in order, and the claims are neither anticipated nor rendered obvious by the applied prior art references of Kryscyk, Bugatti, or Olbrich.

Accordingly, the Examiner is requested to examine this application in light of this response and pass claims 2-15 onto issuance. If the Examiner believes that an interview with Applicants attorney would be helpful in expediting the allowance of this application, the Examiner is respectfully requested to telephone the undersigned at 202-835-1753.

The above constitutes a complete response to all issues raised in the Office Action dated July 12, 2005. Again, reconsideration and allowance of this application is respectfully requested.

Please charge any fee deficiency or credit any overpayment to Deposit Account No. 50-1088.

Respectfully submitted,
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Docket No.: 11016-0024
Date: November 4, 2005

ATTACHMENTS:

1. Copy of Original Specification as filed November 26, 2003
2. Copy of Published Application
3. Copy of Specification Downloaded from PTO PAIR site File Wrapper
4. Letter to the Official Draftsperson w/(6) sheets of Corrected Drawings